

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

CR No. 18-3118 KG

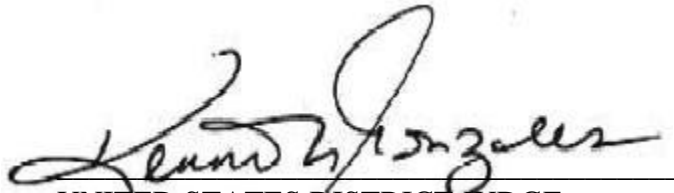
JOSE MANUEL CALDERON-SUAREZ,

Defendant.

ORDER DENYING MOTION TO REDUCE SENTENCE

This matter comes before the Court on Defendant's Motion to Reduce Sentence. (Doc. 23). Defendant asks the Court to reconsider a sentence enhancement stemming from a prior Tennessee conviction. Shortly after filing the Motion, Defendant was released from custody, and he severed contact with the Court. (Doc. 25). Hence, it is no longer possible to reduce his sentence. The "best this [C]ourt could do for him would be to declare that he spent longer in prison than he should have," which would not address the injury. *Rhodes v. Judiscak*, 676 F.3d 931, 935 (10th Cir. 2012). The Motion will be denied as moot.

IT IS ORDERED that Defendant's Motion to Reduce Sentence (Doc. 23) is denied as moot.



UNITED STATES DISTRICT JUDGE